

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**RICHARD L. MEHLBERG, and  
ANGELA R. DEIBEL, individually, on  
behalf of all others similarly situated, and  
on behalf of the Plan,**

**Plaintiffs,**

**v.**

**COMPASS GROUP USA, INC.,**

**Defendant.**

**Case No. 2:24-cv-04179-SRB**

**DEFENDANT COMPASS GROUP USA, INC.'S MOTION TO DISMISS**

Defendant, Compass Group USA, Inc., through undersigned counsel, respectfully move this Court to dismiss Plaintiffs Richard Mehlberg and Angela Deibel's Complaint, ECF No. 1, with prejudice for failure to state a claim and lack of standing under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

Defendant's motion is based on the accompanying memorandum of law, the accompanying exhibits, the accompanying Declaration of Phillip C. Thompson, any reply or supplemental briefing Defendant may submit, and any further evidence or argument (including oral argument) that the Court may invite Defendant to present in connection with this motion.

**WHEREFORE**, Defendant respectfully requests that this Court grant this motion, dismiss the Complaint in its entirety, with prejudice, and grant Defendant any other relief that the Court deems just and proper.

Dated: March 6, 2025

**JACKSON LEWIS P.C.**

/s/ Phillip C. Thompson  
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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2025, I filed the foregoing with the Court using the CM/ECF system. This system sends notifications of such filing and service to all counsel of record.

/s/ Phillip C. Thompson  
Phillip C. Thompson

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